

REMARKS

Claims 1, 3, 5-7, 9-13, 15-18, 20 and 26-28 are currently pending in the Application. Claims 1, 3, 5-6, 10, 12, 15-17 and 20 have been amended for stylistic purposes. These amendments do not add any new matter. Claims 2, 4, 14 and 21-25 have been cancelled in order to expedite prosecution.

Claims 26-28 are new claims. Specifically, claim 26 describes an embodiment where the R protecting group in a compound in claim 17 is Boc. Support for this claim can be found at least in FIG. 9 and Paragraph 50 of the Application. Claims 27-28 are new claims describing embodiments where the buckyketone in the amino acid composition of claim 1 and the synthetic polymer of claim 10 is buckyketone 1. Support for these new claims can be found at least in FIG. 1 and Paragraphs 34 and 46 of the Application.

Paragraphs 7, 24-25, 48, 52-53 and 56 of the Application have been amended for stylistic purposes, to expedite prosecution, and to properly reference SEQ ID NOS. Specifically, in an effort to expedite prosecution, Applicants have deleted Example 6 from the Application. Applicants assert that these deletions do not affect the scope or validity of the claims in any way.

In a further effort to expedite prosecution, Applicants have deleted Figure 12 from the Drawings. Applicants have also renamed Figure 13 as Figure 12. The Application has also been amended to reflect these amendments. Applicants further assert that these amendments do not affect the scope or validity of the claims in any way.

Furthermore, Applicants hereby submit a new Sequence Listing. In this Sequence Listing, previously-submitted SEQ ID NOS. 1 and 3-4 have been deleted. In addition, previously-submitted SEQ ID NO. 2 has been renamed as SEQ ID NO. 1. The Application has also been amended to reflect these changes in the Sequence Listing.

Applicants hereby submit a computer readable form (CRF) copy of the revised Sequence Listing for the above matter for entry into the above-referenced Application. Applicants submit

that the Sequence Listing submitted herewith is compliant with the requirements of 37 CFR § 1.821 through 1.825. Applicants further state that the contents of the computer readable form copy of the Sequence Listing are the same as the written sequence listing in the Application, and no new matter has been introduced.

I. Examiner Interview

In response to the Advisory Action, Applicants held a telephonic interview with Examiner Jeffrey E. Russel on February 6, 2012 (hereinafter “Interview”). Applicants’ representative, Dr. Farhang Amini, participated in the Interview on behalf of Applicants.

During the Interview, Applicants discussed the amendments to the claims and specification in order to place the Application in a condition for allowance. In particular, Applicants discussed the aforementioned claim amendments with the Examiner. Applicants also discussed the possibility of deleting Example 6 and Figure 12 in order to expedite the prosecution of the Application.

As understood by Applicants, the Examiner indicated that the above-mentioned amendments to the claims would place the claims in a condition for allowance. As also understood by Applicants, the Examiner indicated that the objections to the specification and Sequence Listings would be rendered moot by the deletion of Example 6 and Figure 12 from the Application.

Applicants thank the Examiner for devoting time to discuss this case. Applicants hereby address the Examiner’s remarks in the order that they appeared in the Advisory Action.

II. Objections to the Specification and Claims

In the Advisory Action, the Examiner indicated that the proposed amendments to the specification and claims will not be entered because they do not comply with 37 C.F.R. 1.121(b) and (c). Advisory Action, pages 2-3 (paragraph 1). Applicants respectfully submit that the proposed amendments to the specification and claims as submitted in this Supplemental Reply are compliant with 37 C.F.R. 1.121(b) and (c). Specifically, Applicants have now addressed all

of the Examiner's objections to the claims and specification. Therefore, Applicants respectfully request the Examiner to enter the amendments.

III. Objections to the Sequence Listing

In the Advisory Action, the Examiner objected to the Sequence Listing filed on December 9, 2011 on several grounds. Advisory Action, page 3 (paragraph 2). For the reasons set forth below, Applicants respectfully traverse these objections.

The Examiner indicated that SEQ ID NO:1 in the Sequence Listing is not the same as SEQ ID NO: 1 at page 12, lines 12-13 of the specification. Applicants respectfully submit that this objection is considered moot in view of the deletion of the previously-submitted SEQ ID NO:1, and the deletion of the above-mentioned portion of the Application.

The Examiner also indicated that, “[e]xcept for the upper-most peptide shown in proposed Figure 12, SEQ ID NOS: 3 and 4 of the proposed Sequence Listing do not correspond to the peptides shown in the Figure.” Applicants respectfully submit that this objection is also considered moot in view of the deletion of SEQ ID NOS: 3 and 4 and Figure 12 from the Application.

IV. Objections to Figure 12

In the Advisory Action, the Examiner indicated that the “second, third, and fourth sequences in the Figure do not correspond to SEQ ID NOS. 3 and 4 as defined in the proposed Sequence Listing.” Advisory Action, page 3 (paragraph 3). The Examiner also indicated that the “second sequence in the Figure should have an additional amino acid residue Xaa at the N-terminus of its listing [,and the] third and fourth sequences in the Figure must not be split into two halves for purposes of the Sequence Listing.” Advisory Action, page 3 (paragraph 2). Applicants also consider the aforementioned objections to be moot in view of the deletion of Figure 12 from the Application.

V. Objections to the Claims and Specification

In the Advisory Action, the Examiner objected to the claims and specification on various grounds. Advisory Action, pages 3-4 (paragraphs 4-7). For the reasons set forth below, Applicants respectfully traverse these objections.

The Examiner indicated that a proposed amendment to Paragraph 24 that inserted SEQ ID NO. 1 did not correspond to “any amino acid sequence present in Figure 12.” Advisory Action, page 3 (paragraph 4). Applicants consider this objection to be moot in view of the deletion of Paragraph 24, SEQ ID NO. 1 and Figure 12 from the Application.

The Examiner also objected to the proposed amendments to the claims. Specifically, the Examiner indicated that there were multiple commas in claim 17. Advisory Action, page 4 (paragraph 5). Applicants also consider these objections to be moot in view of the currently amended version of claim 17, as presented herein.

The Examiner also indicated that “the amino acid sequence identified as Fullerene Peptide I at page 12, lines 12-13, still does not correspond to the same peptide as shown in Figure 12.” Advisory Action, page 4 (paragraph 6). Applicants also consider this objection to be moot in view of the deletion of Figure 12 and page 12, lines 12-13 from the Application.

The Examiner also indicated that the proposed Sequence Listing “would still contain new matter because SEQ ID NO:1 as defined in the Sequence Listing does not occur anywhere in the original disclosure of the invention.” Advisory Action, page 4 (paragraph 7). Applicants also consider the aforementioned objection to be moot in view of the deletion of SEQ ID NO:1 from the application.

ATTORNEY DOCKET NO.
11321-P080WOUS

PATENT
Serial No. 10/585,277

CONCLUSION

For at least the reasons stated above and the reasons stated in the Reply filed on December 9, 2011, Applicants assert that claims 1, 3, 5-7, 9-13, 15-18, 20 and 26-28 are in condition for allowance. Accordingly, Applicants respectfully request an allowance of the aforementioned claims. Applicants also request that the Examiner call Applicants' Attorney at the below listed number if the Examiner believes that such a discussion would be helpful in resolving any remaining issues.

February 9, 2012

Respectfully submitted,
WINSTEAD P.C.
Attorney for Applicants

P.O. Box 131851
Dallas, Texas 75313
(713) 650-2795

By: _____ /Farhang Amini/
Farhang Amini, Ph.D.
Reg. No. 59,412